

Please type a plus sign (+) inside this box → ☐

PTO/SB/50 (4/98)
Approved for use through 09/30/2000. OMB 0651-0033
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO
09/641378
08/18/00

REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

Attorney Docket No.	074309.000014
First Named Inventor	James W. Schiek
Original Patent Number	6,053,883
Original Patent Issue Date (Month/Day/Year)	April 25, 2000
Express Mail Label No.	

APPLICATION FOR REISSUE OF:
(check applicable box)



Utility Patent



Design Patent



Plant Patent

APPLICATION ELEMENTS

- ☒ * Fee Transmittal Form (PTO/SB/56)
(Submit an original, and a duplicate for fee processing)
- ☒ Specification and Claims (amended, if appropriate)
- ☐ Drawing(s) (proposed amendments, if appropriate)
- ☒ Reissue Oath / Declaration (original or copy)
(37 C.F.R. § 1.175)(PTO/SB/51 or 52)
- Original U.S. Patent
☒ Offer to Surrender Original Patent (37 C.F.R. § 1.178)
(PTO/SB/53 or PTO/SB/54)
or
☐ Ribboned Original Patent Grant
☐ Affidavit / Declaration of Loss (PTO/SB/55)
- Original U.S. Patent currently assigned?
☒ Yes ☐ No
(If Yes, check applicable box(es))
☐ Written Consent of all Assignees (PTO/SB/53 or 54)
☒ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney

ACCOMPANYING APPLICATION PARTS

- ☐ Foreign Priority Claim (35 U.S.C. 119)
(if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ English Translation of Reissue Oath/Declaration
(if applicable)
- ☐ * Small Entity Statement(s) ☒ Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Other:

* NOTE FOR ITEMS 1 & 10: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

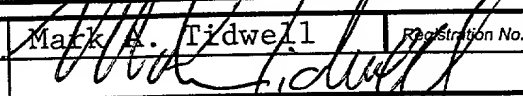
14. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)


or ☒ Correspondence address below

Name	Mark A. Tidwell		
	Bracewell & Patterson, L.L.P.		
Address	711 Louisiana, Suite 2900		
City	Houston	State	Texas
Zip Code	77002		
Country	USA	Telephone	(713) 221-1529
		Fax	(713) 221-2131

NAME (Print/Type)	Mark A. Tidwell	Registration No. (Attorney/Agent)	37,456
Signature		Date	8/18/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION FEE TRANSMITTAL FORM						Docket Number (Optional) 074309.000014		
Claims as Filed - Part 1								
Claims in Patent	For	Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 11	Total Claims (37 CFR 1.16(j)) Independent Claims (37 CFR 1.16(i))	(B) 12	**** 0	= x \$ 9	= 0	or	x \$ =	
(C) 2		(D) 2	* 0	= x \$ 39	= 0		x \$ =	
Basic Fee (37 CFR 1.16(h))					\$345		\$	
Total Filing Fee					\$345	OR	\$	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 12	MINUS	** 11	* 1	x \$ 9	= 9	or	x \$ =
Independent Claims (37 CFR 1.16(i))	*** 2	MINUS	**** 2	= 0	x \$ 39	= 0		x \$ =
Total Additional Fee					\$ 9	OR	\$	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p>								
<p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>50-0259</u>. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ <u>354.00</u> to cover the filing / additional fee is enclosed.</p>								
<u>4/18/00</u> Date		 Signature of Applicant, Attorney or Agent of Record <u>Mark A. Tidwell</u> Typed or printed name						

08-21-00

A1

P.P.I.

Please type a plus sign (+) inside this box → ☒

PTO/SB/50 (4/98)

Approved for use through 09/30/2000. OMB 0651-0033

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

Attorney Docket No.

074309.000014

First Named Inventor

James W. Schiek

Original Patent Number

6,053,883

Original Patent Issue Date
(Month/Day/Year)

April 25, 2000

Express Mail Label No.

APPLICATION FOR REISSUE OF:

(check applicable box)



Utility Patent



Design Patent



Plant Patent

APPLICATION ELEMENTS

1. ☒ * Fee Transmittal Form (PTO/SB/56)
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification and Claims (amended, if appropriate)
3. ☐ Drawing(s) (proposed amendments, if appropriate)
4. ☒ Reissue Oath / Declaration (original or copy)
(37 C.F.R. § 1.175)(PTO/SB/51 or 52)
5. Original U.S. Patent
☒ Offer to Surrender Original Patent (37 C.F.R. § 1.178)
(PTO/SB/53 or PTO/SB/54)
or
☐ Ribboned Original Patent Grant
☐ Affidavit / Declaration of Loss (PTO/SB/55)
6. Original U.S. Patent currently assigned?
☒ Yes ☐ No
(If Yes, check applicable box(es))
☐ Written Consent of all Assignees (PTO/SB/53 or 54)
☒ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney

ACCOMPANYING APPLICATION PARTS

7. ☐ Foreign Priority Claim (35 U.S.C. 119)
(if applicable)
8. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
9. ☐ English Translation of Reissue Oath/Declaration
(if applicable)
10. ☐ * Small Entity Statement(s) ☒ Statement filed in prior application, Status still proper and desired
(PTO/SB/09-12)
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ Other:

* NOTE FOR ITEMS 1 & 10: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

14. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Mark A. Tidwell		
	Bracewell & Patterson, L.L.P.		
Address	711 Louisiana, Suite 2900		
City	Houston	State	Texas
Country	USA	Zip Code	77002
	Telephone	(713) 221-1529	Fax (713) 221-2131

NAME (Print/Type)

Mark A. Tidwell

Registration No. (Attorney/Agent)

37,456

Signature

Mark A. Tidwell

Date

8/18/00

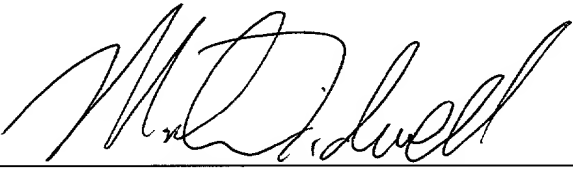
† Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

08/18/00
JC905 U.S. PTO

0964438 081800

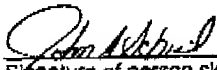
 1531 U.S. Patent
 09/641378
 08/18/00

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION FEE TRANSMITTAL FORM					Docket Number (Optional) 074309.000014			
Claims as Filed - Part 1								
Claims in Patent	For	Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 11	Total Claims (37 CFR 1.16(j)) Independent Claims (37 CFR 1.16(i))	(B) 12	**** 0	= x \$ 9	= 0	or	x \$ ____ =	
(C) 2		(D) 2	* 0	= x \$ 39	= 0		x \$ ____ =	
Basic Fee (37 CFR 1.16(h))					\$345		\$ ____	
Total Filing Fee					\$345	OR	\$ ____	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 12	MINUS	** 11	= 1	x \$ 9	= 9	or	x \$ ____ =
Independent Claims (37 CFR 1.16(i))	*** 2	MINUS	**** 2	= 0	x \$ 39	= 0		x \$ ____ =
Total Additional Fee					\$ 9	OR	\$ ____	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p>								
<p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>50-0259</u>. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ <u>354.00</u> to cover the filing / additional fee is enclosed.</p>								
<u>8/18/00</u> Date		 Signature of Applicant, Attorney or Agent of Record <u>Mark A. Tidwell</u> Typed or printed name						

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

008780"031800

REISSUE APPLICATION BY THE ASSIGNEE, OFFER TO SURRENDER PATENT		Docket Number (Optional) 074309.000014
This is the part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s): James W. Schiek, Sr.		
Patent Number 6,053,883	Date Patent Issued: April 25, 2000	
Title of Invention Support And Utility Belt		
<u>Schiek's Sports, Inc.</u> is the assignee of the entire interest in the original patent.		
I offer to surrender the original patent.		
<input checked="" type="checkbox"/> A certificate under 37CFR 3.73(b) is attached.		
I am authorized to act on behalf of the assignee.		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.		
<u>SCHIEK'S SPORTS, INC.</u> Name of assignee		
<u></u> Signature of person signing for assignee		<u>7/24/2000</u> Date
Typed or printed name and title of person signing for assignee <u>John A. Schiek</u> Title: <u>Vice President</u>		

PTO/SB/54 (12/97)

ZIENAW074309\000014
HOUSTON,1149326.1

** TOTAL PAGE 02 **

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application of:)
)
JAMES W. SCHIEK, SR.)
)
Assignee:)
)
SCHIEK'S SPORTS, INC.)
)
Patent No. 6,053,883)
Serial No.: 08/290,678)
Filed: August 15, 1994)
)
Which is a Continuation of)
Serial No. 08/023,300)
Filed: February 26, 1993)
)
Which is a continuation of)
Serial No. 07/728,742)
Filed: July 12, 1991)
)
Issued: April 25, 2000)
)
SUPPORT AND UTILITY BELT)

OFFER TO SURRENDER ORIGINAL PATENT

HONORABLE COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

The undersigned, John Schiek, ^{Vice} President of Schiek's Sports Inc., owner of the entire interest in and to U.S. patent 6,053,883, hereby offers to surrender the original patent upon notification of grant of the reissue application.

SCHIEK SPORTS, INC.

July 14 2000
Date

By: 
John Schiek

Title: Vice President

003730 " 24E7950

I claim:

1. A support belt adapted for encircling and being secured to the waist of a wearer for providing both back and abdominal muscle support during strenuous activity while providing a non-interfering support and a non-interfering fit with the skeletal structure of the ribs and hips of the wearer, the belt comprising:

a. an elongate base having a longitudinal axis and opposite outer ends and of a length sufficient to encircle the waist of the wearer, the base including an enlarged back support area and an enlarged abdominal support area, each area of a first fixed predetermined vertical height and each area being integral within the base, **[and made of a semi-rigid material wrapped in a flexible cloth for comfort]**, the areas being disposed within the base such that the areas are opposite one another when the belt is encircling the waist of the wearer;

b. reduced side areas within the base, having a second predetermined vertical height smaller than said first predetermined vertical height and disposed intermediately of the back support and abdominal support areas and opposite one another between the hips and ribs of the wearer when the belt is encircling the waist, said reduced side areas being sized to allow the belt to be sufficiently tightened against the back and abdominal walls without encountering the skeletal structure of the ribs or hips of the wearer thereby evenly distributing and providing optimum support to both the back and abdominal walls and accommodate bending and side-to-side motion of the wearer; **and**

c. a first fastening means **[comprising a first pad portion at one end of the base and a second pad portion disposed at the other end of the base, the first and second pad portions adapted to be placed in overlying,] for** releasably securing **[secured relationship with one another when]** the belt **[is encircling] to encircle** the waist of the wearer[;

d. an elongate strap of flexible, generally non-stretchable material secured to and coaxial with the base, and having free opposite ends;

e. a second, cinchable fastening means on the strap comprising a fastener secured to one of said strap ends and a flap on the other end adapted to be received

0944378-031300

5. The support belt of claim 1, the [second] first fastening means further comprising:

a first pad portion at one end of the base and a second pad portion disposed at the other end of the base, the first and second pad portions adapted to be placed in overlying, releasably secured relationship with one another when the belt is encircling the waist of the wearer,

[a. a] the first pad portion comprising a first [strap] hook and loop fastener pad [on the strap and disposed inwardly of the fastening means on said one end]; and

[b. a] the second pad portion comprising a second strap hook and loop fastener pad [on the flap and] complementary with the first [strap] hook and loop fastener pad[, whereby the flap means is secured to the belt when the belt is encircling the waist of the wearer].

6. The support belt of claim 1, further comprising utility rings secured to the belt at the reduced side areas for securing the belt directly to a harness or implement to be moved or lifted by the wearer that provides an ability to use the trunk of the body to aid in the activity with added safety.

7. A support belt adapted for encircling and being secured to the waist of a wearer for providing both back and abdominal muscle support during strenuous activity while providing a non-interfering fit with the skeletal structure of the ribs and hips of the wearer, the belt comprising:

a. an elongate base having a longitudinal axis and opposite outer ends and made of flexible material to accommodate the various movements of the waist and associated placement of the hips and ribs of the wearer;

b. an enlarged back support area having a first fixed predetermined vertical height and integral within the base such that the area supports the back of the wearer when the belt is encircling the waist of the wearer;

c. an enlarged first abdominal support portion located on one outer end of the base and having a fixed predetermined vertical height substantially the same as the first fixed predetermined vertical height of the back support and positioned to define an abdominal support area opposite the back support area and located in the vicinity of the abdominal wall of the wearer when the belt is encircling the waist;

d. an enlarged second abdominal support portion located on the other outer end of the base and the first abdominal support portion located on one outer end of the base and having a fixed predetermined vertical height coexistent with said first abdominal support height and positioned such that the abdominal support area is diametrically opposite the back support area and is located in the vicinity of the abdominal wall of the wearer when the belt is encircling the waist, said abdominal support portions adapted to be located in overlying relationship with one another when the belt is encircling the waist;

e. reduced side sections of the base having a second predetermined vertical height smaller than said first predetermined vertical height and located on the base intermediately of the areas and opposite one another between the hips and ribs of the wearer when the belt is encircling the waist, said reduced side sections being sized to allow the belt to be sufficiently tightened against both the back and abdominal walls without encountering the skeletal structure of the ribs or hips of the wearer thereby evenly distributing and providing optimum support to both the back and abdominal walls; and

[f. a first fastening means for releasably securing the base about the waist of the wearer;]

g. an elongate strap of flexible, generally non-stretchable material secured adjacent one base end [to] and coaxial with the base, and having a free end [opposite ends]; and

h. a [second,] cinchable fastening means [on the strap comprising a fastener] secured to [one of said strap ends] the other base end and [a flap] adapted to be received in and secured by said [fastener] elongated strap and cinched to fit when the belt is placed around the waist of the wearer.

8. The support belt of claim 7, [wherein said] further comprising a second fastening means [further] which comprises:

a. a first strap hook and loop fastener pad on the strap and disposed inwardly of the fastener at said one end; and

b. a second strap hook and loop fastener pad on the flap and complementary with the first strap hook and loop fastener pad, whereby the flap may be secured to the belt when the belt is encircling the waist.

9. The support belt of claim 8, wherein the abdominal support portions, when in overlying relationship with one another, have abutting surfaces and wherein the first fastening means further comprises a first hook and loop fastener pad on the abutting surface of one abdominal support portion and a complementary abdominal hook and loop fastener pad on the complementary abutting surface of the other abdominal support portion, whereby the belt may be secured to the waist of the wearer when the belt is encircling the waist and the abdominal support portions are disposed in overlying relationship with one another.

10. The support belt of claim 8, further comprising utility rings secured to the belt at the reduced side sections for securing the belt directly to a harness or implement to be moved or lifted by the wearer that provides an ability to use the trunk of the body to aid in the activity with added safety.

11. The support belt of claim 8, wherein said back support area and said abdominal support areas are each of approximately five inches in vertical height and the reduced side portions are each of approximately three inches in vertical height.

12. The support belt of claim 1, the first fastening means further comprising:
- a. an elongate strap of flexible, generally non-stretchable material secured to one base end, coaxial with the base and having a free end;
 - b. a fastener secured to the other base end and adapted to receive and secure said free strap end and cinchable to fit when the belt is placed around the waist of the wearer.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application of:)
)
JAMES W. SCHIEK, SR.)
)
Assignee:)
)
SCHIEK'S SPORTS, INC.)
)
Patent No. 6,053,883)
Serial No.: 08/290,678)
Filed: August 15, 1994)
)
Which is a Continuation of)
Serial No. 08/023,300)
Filed: February 26, 1993)
)
Which is a continuation of)
Serial No. 07/728,742)
Filed: July 12, 1991)
)
Issued: April 25, 2000)
)
SUPPORT AND UTILITY BELT)

DECLARATION FOR REISSUE
APPLICATION UNDER 37 C.F.R. 1.175

STATEMENT OF INOPERATIVENESS OR INVALIDITY
OF ORIGINAL PATENT (37 C.F.R. 1.175)

I, John Schiek, as Vice President of Schiek's Sports, Inc, a Wisconsin corporation, declare as follows:

1. Schiek's Sports, Inc. is the assignee from the inventor, James W Schiek, Sr., and is full owner of all right, title and interest in U.S. Patent No. 6,053,883 as evidenced by the Assignment filed with the Patent Office on June 19, 2000.
2. Schiek's Sports is located at the address shown below.
3. I believe that the inventor, James W. Schiek, Sr. is the original, first, and sole inventor of the subject matter which is described and claimed in the present reissue application of U.S. Patent No. 6,053,883.
4. I do not know and do not believe that the invention was ever known or used in the U.S. before the invention by James W. Schiek, Sr.
5. The inventor, James W. Schiek, Sr. has refused to sign any additional documentation related to U.S. Patent No. 6,053,883 without additional compensation, to which he is not entitled.
6. The last known address of the inventor, James W. Schiek, Sr., is Schiek Ideas, 6856 Howlett Road, Oshkosh, Wisconsin 54901.
7. As set forth in more detail below, this application is necessary to preserve the rights of Schiek's Sports, Inc. and to prevent irreparable damage to Schiek's Sports, Inc. from third party infringers.
8. I hereby state that I have reviewed and understood the contents of the specifications and claims of the original patent, the present reissue application, and the amendments to the claims herein.
9. I acknowledge my duty to disclose information which is known to be material to the patentability of this application in accordance with 37 C.F.R. §1.56.
10. I verily believe the original patent to be partly inoperative by reason of the inventor claiming less than he had a right to claim in the original patent. I believe this error arose without any deceptive intent on the inventor's part.

Specifically, the defect in the original patent is the inclusion in the two independent claims, namely Claims 1 and 7, of *two* means for fastening the support and utility belt around the waist. Although the preferred embodiment would include two such fastening means, the novelty of the invention does not arise in the recited fastening means. Rather, the novelty of the

invention lies in the uniquely contoured shape of the support belt that combines back support with increased abdominal support. This was evidenced in the lengthy examination and appeal process in which the non-obviousness of the contoured shape was established by the Board of Patent Appeals and Interferences. Thus in order to protect the full scope of the invention, it is necessary to provide protection against the use of a contoured shaped belt regardless of the specific details of the fastening means. The narrow claims of the original patent do not adequately protect the invention.

This error was discovered as Schiek's Sports prepared to enforce its rights under the patent against competitors who have copied the unique patented contoured design for their own support belts. The error was discovered shortly after the patent issued, in May 2000, when the patent was reviewed with respect to potential infringers. The reissue application seeks to clarify and more fully protect the invention to which Schiek's Sports has rights.

This error arose as a result of drafting the claims to cover the preferred embodiment of the invention. When the claims were drafted there were no other manufacturers making such a belt and the particular fastening means were not thought to be an issue. It is an error that arose without any deceptive intent and was merely an oversight.

The reissue application seeks to correct these errors and protect the full scope of the invention by deleting the references to *two* fastening means from Claims 1 and 7, and instead simply reciting *a* fastening means, thereby encompassing *one or more* fastening means. Dependent Claims 2, 5 and 8 have been amended to encompass the deleted language from Claims 1 and 7. New Claim 12 has been added in dependent form to include the content that was removed from the original Claim 1. Specifically, Claim 1 now simply recites a fastening means, thereby encompassing not only a single (as opposed to two or more) fastening means, but a fastener of any type, whether it be a hook and loop type fastener, a cinchable type fastener or otherwise. Claim 2 incorporates a second fastening means into the limitations of Claim 1, and describes such a second fastening means as being a cinchable strap and ring type fastener. Claim 5 modifies Claim 1 by reciting that the first fastening means is a hook and loop type fastener. Claim 7 has been amended to recite a contoured shape belt with a fastening means of the cinchable strap and ring type. Claim 8 has added to Claim 7 a second fastening means of the

hook and loop type. Finally, new dependent Claim 12 has been added to recite that the first fastening means of Claim 1 is a cinchable strap and ring type fastener.

Specifically, I have reviewed and approved amendments to the claims as follows, wherein underlining indicates added material and brackets indicates deleted material:

1. A support belt adapted for encircling and being secured to the waist of a wearer for providing both back and abdominal muscle support during strenuous activity while providing a non-interfering support and a non-interfering fit with the skeletal structure of the ribs and hips of the wearer, the belt comprising:
 - a. an elongate base having a longitudinal axis and opposite outer ends and of a length sufficient to encircle the waist of the wearer, the base including an enlarged back support area and an enlarged abdominal support area, each area of a first fixed predetermined vertical height and each area being integral within the base, **[and made of a semi-rigid material wrapped in a flexible cloth for comfort]**, the areas being disposed within the base such that the areas are opposite one another when the belt is encircling the waist of the wearer;
 - b. reduced side areas within the base, having a second predetermined vertical height smaller than said first predetermined vertical height and disposed intermediately of the back support and abdominal support areas and opposite one another between the hips and ribs of the wearer when the belt is encircling the waist, said reduced side areas being sized to allow the belt to be sufficiently tightened against the back and abdominal walls without encountering the skeletal structure of the ribs or hips of the wearer thereby evenly distributing and providing optimum support to both the back and abdominal walls and accommodate bending and side-to-side motion of the wearer; **and**
 - c. a first fastening means **[comprising a first pad portion at one end of the base and a second pad portion disposed at the other end of the base, the first and second pad portions adapted to be placed in overlying,]** for releasably securing **[secured relationship with one another when]** the belt **[is encircling]** to encircle the waist of the wearer[;

d. an elongate strap of flexible, generally non-stretchable material secured to and coaxial with the base, and having free opposite ends;

e. a second, cinchable fastening means on the strap comprising a fastener secured to one of said strap ends and a flap on the other end adapted to be received in and secured by said fastener and cinched to fit when the belt is placed around the waist of the wearer; and

f. means for securing the first fastening means after the belt is properly cinched].

2. The support belt of claim 1, wherein the first fastening means comprises a first pad portion at one end of the base and a second pad portion disposed at the other end of the base, the first and second pad portions adapted to be placed in overlying, releasably secured relationship with one another when the belt is encircling the waist of the wearer; and further comprising a second fastening means comprising:

a. an elongate strap of flexible, generally non-stretchable material secured to one base end, coaxial with the base and having a free end;

b. a fastener secured to the other base end and adapted to receive and secure said free strap end and cinchable to fit when the belt is placed around the waist of the wearer; and

c. means for securing the first fastening means after the belt is properly cinched, wherein the first and second pad portions at the ends of the base define an abdominal support pad and the back support area further defines a back support pad.

5. The support belt of claim 1, the [second] first fastening means further comprising:

a first pad portion at one end of the base and a second pad portion disposed at the other end of the base, the first and second pad portions adapted to be placed in overlying, releasably secured relationship with one another when the belt is encircling the waist of the wearer,

[a. a] the first pad portion comprising a first [strap] hook and loop fastener pad [on the strap and disposed inwardly of the fastening means on said one end]; and

[b. a] the second pad portion comprising a second strap hook and loop fastener pad [on the flap and] complementary with the first [strap] hook and loop fastener pad[, whereby the flap means is secured to the belt when the belt is encircling the waist of the wearer].

7. A support belt adapted for encircling and being secured to the waist of a wearer for providing both back and abdominal muscle support during strenuous activity while providing a non-interfering fit with the skeletal structure of the ribs and hips of the wearer, the belt comprising:

a. an elongate base having a longitudinal axis and opposite outer ends and made of flexible material to accommodate the various movements of the waist and associated placement of the hips and ribs of the wearer;

b. an enlarged back support area having a first fixed predetermined vertical height and integral within the base such that the area supports the back of the wearer when the belt is encircling the waist of the wearer;

c. an enlarged first abdominal support portion located on one outer end of the base and having a fixed predetermined vertical height substantially the same as the first fixed predetermined vertical height of the back support and positioned to define an abdominal support area opposite the back support area and located in the vicinity of the abdominal wall of the wearer when the belt is encircling the waist;

d. an enlarged second abdominal support portion located on the other outer end of the base and the first abdominal support portion located on one outer end of the base and having a fixed predetermined vertical height coexistent with said first abdominal support height and positioned such that the abdominal support area is diametrically opposite the back support area and is located in the vicinity of the abdominal wall of the wearer when the belt is encircling the waist, said abdominal support portions adapted to be located in overlying relationship with one another when the belt is encircling the waist;

e. reduced side sections of the base having a second predetermined vertical height smaller than said first predetermined vertical height and located on the base intermediately of the areas and opposite one another between the hips and ribs of the wearer when the belt is encircling the waist, said reduced side sections being sized to allow the belt to be sufficiently tightened against both the back and abdominal walls without encountering the skeletal structure of the ribs or hips of the wearer thereby evenly distributing and providing optimum support to both the back and abdominal walls; and

[f. a first fastening means for releasably securing the base about the waist of the wearer;]

g. an elongate strap of flexible, generally non-stretchable material secured **adjacent one base end** [to] and coaxial with the base, and having **a free end** [opposite ends]; and

h. a [second,] cinchable fastening means [on the strap comprising a fastener] secured to [one of said strap ends] **the other base end** and [a flap] adapted to be received in and secured by said [fastener] **elongated strap** and cinched to fit when the belt is placed around the waist of the wearer.

8. The support belt of claim 7, [wherein said] **further comprising a** second fastening means [further] which comprises:

a. a first strap hook and loop fastener pad on the strap and disposed inwardly of the fastener at said one end; and

b. a second strap hook and loop fastener pad on the flap and complementary with the first strap hook and loop fastener pad, whereby the flap may be secured to the belt when the belt is encircling the waist.

I believe that this Declaration complies with 37 C.F.R. 1.175 and supports each and every change in the claims.

ACKNOWLEDGMENT OF DUTY OF CANDOR

I acknowledge the duty to disclose information which is material to the examination of this application namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Schiek's Sports, Inc.

Dated: July 12, 2000

By:

Title: John A. Schiek Vice President

Mailing Address: PO Box 3032
Oshkosh, WI 54903-3032

Attorney Docket No.: 074309.007011

Table 1. Continued	
Age	18-24
Gender	Male
Marital status	Married
Education	High school
Occupation	Unemployed
Income	Low
Health status	Good
Family size	Small
Religion	Christian
Political affiliation	Democrat
Employment status	Full-time
Home ownership	Own
Travel frequency	Often
Exercise frequency	Often
Alcohol consumption	Often
Tobacco use	Often
Stress level	High
Life satisfaction	Low
Self-esteem	Low
Loneliness	High
Depression	High
Anxiety	High
Substance use	High
Relationship status	Single
Parental status	Single
Childhood trauma	High
Adverse childhood experiences	High
Current trauma	High
Post-traumatic stress disorder	High
Major depressive disorder	High
Bipolar disorder	High
Schizophrenia	High
Personality disorders	High
Eating disorders	High
Substance use disorders	High
Self-harm	High
Suicidal thoughts	High
Suicide attempts	High
History of suicide	High
Family history of mental illness	High
Genetic predisposition	High
Brain chemistry	High
Neurotransmitter levels	High
Hormonal imbalances	High
Chronic pain	High
Chronic illness	High
Chronic stress	High
Chronic anxiety	High
Chronic depression	High
Chronic substance use	High
Chronic self-harm	High
Chronic suicidal thoughts	High
Chronic suicide attempts	High
Chronic history of suicide	High
Chronic family history of mental illness	High
Chronic genetic predisposition	High
Chronic brain chemistry	High
Chronic neurotransmitter levels	High
Chronic hormonal imbalances	High
Chronic chronic pain	High
Chronic chronic illness	High
Chronic chronic stress	High
Chronic chronic anxiety	High
Chronic chronic depression	High
Chronic chronic substance use	High
Chronic chronic self-harm	High
Chronic chronic suicidal thoughts	High
Chronic chronic suicide attempts	High
Chronic chronic history of suicide	High
Chronic chronic family history of mental illness	High
Chronic chronic genetic predisposition	High
Chronic chronic brain chemistry	High
Chronic chronic neurotransmitter levels	High
Chronic chronic hormonal imbalances	High
Chronic chronic chronic pain	High
Chronic chronic chronic illness	High
Chronic chronic chronic stress	High
Chronic chronic chronic anxiety	High
Chronic chronic chronic depression	High
Chronic chronic chronic substance use	High
Chronic chronic chronic self-harm	High
Chronic chronic chronic suicidal thoughts	High
Chronic chronic chronic suicide attempts	High
Chronic chronic chronic history of suicide	High
Chronic chronic chronic family history of mental illness	High
Chronic chronic chronic genetic predisposition	High
Chronic chronic chronic brain chemistry	High
Chronic chronic chronic neurotransmitter levels	High
Chronic chronic chronic hormonal imbalances	High
Chronic chronic chronic chronic pain	High
Chronic chronic chronic chronic illness	High
Chronic chronic chronic chronic stress	High
Chronic chronic chronic chronic anxiety	High
Chronic chronic chronic chronic depression	High
Chronic chronic chronic chronic substance use	High
Chronic chronic chronic chronic self-harm	High
Chronic chronic chronic chronic suicidal thoughts	High
Chronic chronic chronic chronic suicide attempts	High
Chronic chronic chronic chronic history of suicide	High
Chronic chronic chronic chronic family history of mental illness	High
Chronic chronic chronic chronic genetic predisposition	High
Chronic chronic chronic chronic brain chemistry	High
Chronic chronic chronic chronic neurotransmitter levels	High
Chronic chronic chronic chronic hormonal imbalances	High
Chronic chronic chronic chronic chronic pain	High
Chronic chronic chronic chronic chronic illness	High
Chronic chronic chronic chronic chronic stress	High
Chronic chronic chronic chronic chronic anxiety	High
Chronic chronic chronic chronic chronic depression	High
Chronic chronic chronic chronic chronic substance use	High
Chronic chronic chronic chronic chronic self-harm	High
Chronic chronic chronic chronic chronic suicidal thoughts	High
Chronic chronic chronic chronic chronic suicide attempts	High
Chronic chronic chronic chronic chronic history of suicide	High
Chronic chronic chronic chronic chronic family history of mental illness	High
Chronic chronic chronic chronic chronic genetic predisposition	High
Chronic chronic chronic chronic chronic brain chemistry	High
Chronic chronic chronic chronic chronic neurotransmitter levels	High
Chronic chronic chronic chronic chronic hormonal imbalances	High
Chronic chronic chronic chronic chronic chronic pain	High
Chronic chronic chronic chronic chronic chronic illness	High
Chronic chronic chronic chronic chronic chronic stress	High
Chronic chronic chronic chronic chronic chronic anxiety	High
Chronic chronic chronic chronic chronic chronic depression	High
Chronic chronic chronic chronic chronic chronic substance use	High
Chronic chronic chronic chronic chronic chronic self-harm	High
Chronic chronic chronic chronic chronic chronic suicidal thoughts	High
Chronic chronic chronic chronic chronic chronic suicide attempts	High
Chronic chronic chronic chronic chronic chronic history of suicide	High
Chronic chronic chronic chronic chronic chronic family history of mental illness	High
Chronic chronic chronic chronic chronic chronic genetic predisposition	High
Chronic chronic chronic chronic chronic chronic brain chemistry	High
Chronic chronic chronic chronic chronic chronic neurotransmitter levels	High
Chronic chronic chronic chronic chronic chronic hormonal imbalances	High
Chronic chronic chronic chronic chronic chronic chronic pain	High
Chronic chronic chronic chronic chronic chronic chronic illness	High
Chronic chronic chronic chronic chronic chronic chronic stress	High
Chronic chronic chronic chronic chronic chronic chronic anxiety	High
Chronic chronic chronic chronic chronic chronic chronic depression	High
Chronic chronic chronic chronic chronic chronic chronic substance use	High
Chronic chronic chronic chronic chronic chronic chronic self-harm	High
Chronic chronic chronic chronic chronic chronic chronic suicidal thoughts	High
Chronic chronic chronic chronic chronic chronic chronic suicide attempts	High
Chronic chronic chronic chronic chronic chronic chronic history of suicide	High
Chronic chronic chronic chronic chronic chronic chronic family history of mental illness	High
Chronic chronic chronic chronic chronic chronic chronic genetic predisposition	High
Chronic chronic chronic chronic chronic chronic chronic brain chemistry	High
Chronic chronic chronic chronic chronic chronic chronic neurotransmitter levels	High
Chronic chronic chronic chronic chronic chronic chronic hormonal imbalances	High
Chronic chronic chronic chronic chronic chronic chronic chronic pain	High
Chronic chronic chronic chronic chronic chronic chronic chronic illness	High
Chronic chronic chronic chronic chronic chronic chronic chronic stress	High
Chronic chronic chronic chronic chronic chronic chronic chronic anxiety	High
Chronic chronic chronic chronic chronic chronic chronic chronic depression	High
Chronic chronic chronic chronic chronic chronic chronic chronic substance use	High
Chronic chronic chronic chronic chronic chronic chronic chronic self-h	

00NOLLJA\074309\007001
HOUSTON\1133678.1
7/13/00-10:42 AM

008180" 024750

EXHIBIT

B

EXHIBIT C

PATENTS OF CORPORATION

1. U.S. Patent No. 5,046,488 issued September 10, 1991.
2. U.S. Patent No. 5086758 issued February 11, 1992.
3. Patent Pending for support and utility belt as described in Application for Patent dated July 11, 1991, Attorney's docket No. C.8451-3 under Serial No. 07/728,742, filed on July 21, 1991.
4. The exclusive use for support belts of a one-way velcro hook and loop device for which application will be made and the ownership of which will be in JAMES W. SCHIEK, SR. All uses other than for support belts may be used by either the Corporation or JAMES W. SCHIEK, SR.



MEMO:

TO: James W. Schiek

FROM: Daniel E. Wissink

DATE: June 9, 1992

008780-2474960

Daniel E. Wissink

Eigenschaften des Systems	
Systemname	...
Systemversion	...
Systemtyp	...
Systemgröße	...
Systemkomponenten	...
Systemkonfiguration	...
Systemeigenschaften	...
Systemverhalten	...
Systemleistung	...
Systemkosten	...
Systemrisiko	...
Systemnutzung	...
Systemwartung	...
Systemaktualisierung	...
Systemdeinstallation	...
Systemdokumentation	...
Systemtesten	...
Systemevaluierung	...
Systemmigration	...
Systemintegration	...
Systeminteraktion	...
Systemkompatibilität	...
Systemverträglichkeit	...
Systemkonformität	...
Systemstandardisierung	...
Systemnormung	...
Systemzertifizierung	...
Systemakkreditierung	...
Systemregistrierung	...
Systemanerkennung	...
Systemüberwachung	...
Systemberichterstattung	...
Systemkommunikation	...
Systemkooperation	...
Systemkoordination	...
Systemmanagement	...
Systemorganisation	...
Systemstruktur	...
Systemprozess	...
Systemkultur	...
Systemethik	...
Systemrecht	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	...
Systemeffektivität	...
Systemeffizienz	...
Systemökonomie	...
Systemökologie	...
Systemsozialwissenschaft	...
Systempsychologie	...
Systempädagogik	...
Systemtherapie	...
Systemberatung	...
Systemschulung	...
Systemfortbildung	...
Systemweiterbildung	...
Systemqualifizierung	...
Systemkompetenz	...
Systemfähigkeit	...
Systemwirksamkeit	

PATENTS ONLY

To the Honorable Assistant Commissioner for Patents:

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

James W. Schiek, Sr.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: SCHIEK'S SPORTS, INC.

Internal Address: _____

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Purchase Agreement

Execution Date: 7/9/92Street Address: 683 North Main St., Suite ECity: Oshkosh State: WI Zip: 54901Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

B. Patent No(s).

6,053,883 5,046,488 5,086,758 5,152,037
 5,316,022

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert C. CurfissInternal Address: Bracewell & Patterson, L.L.P.Street Address: 711 Louisiana, Suite 2900City: Houston State: TX Zip: 770026. Total number of applications and patents involved: 57. Total fee (37 C.F.R. § 3.41) \$ 200.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number:

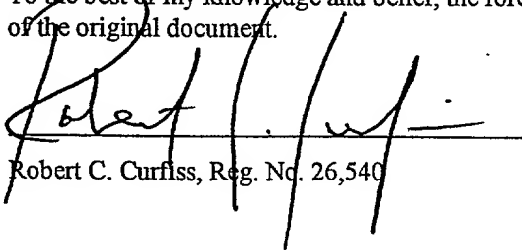
50-0259

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.


 Robert C. Curfiss, Reg. No. 26,540

Date

6/16/00

Total number of pages including cover sheet, attachments and document: 16

1c531 U.S. PTO

09/641378

08/18/00

008730" 2457450

PURCHASE OF SCHIEK FAMILY INTEREST

I. PARTIES:

A. SCHIEK'S SPORTS, INC., 683 North Main Street, Suite E, Oshkosh, Wisconsin 54901, hereinafter referred to as "Corporation."

B. JAMES W. SCHIEK, SR. and MARGARET M. SCHIEK, whose collective address for purposes of this Agreement shall be 1020 Winnebago Avenue, Oshkosh, Wisconsin 54901, hereinafter referred to as "Shareholders."

II. RECITALS:

A. At the present time the Shareholders

B. The Shareholders have agreed to sell their shares to the Corporation pursuant to the terms and conditions of this Agreement for a total purchase price

that the purchase of such shares by the Corporation shall terminate all of the interest of the Shareholders in the Corporation subject to the terms and conditions of this Agreement.

C. In view of the fact that JAMES W. SCHIEK, SR. is the President of the Corporation and has been most intimately involved with its business transactions, the Corporation is requesting disclosure of a substantial amount of information which may not be known or be available to the other Shareholders, officers and directors of the Corporation.

D. After the purchase of the Shareholders' interest in the Corporation the remaining Shareholders will be DANIEL E. WISSINK and CAROLE L. WISSINK; and that DANIEL E. WISSINK as the result of this transaction will be come the principal officer and Shareholder of the Corporation.

III. AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants

003780-224350

herein contained and other good and sufficient consideration,

IT IS AGREED as follows:

A. Recitals. The Recitals to this Agreement are incorporated herein by reference.

B. Sale of Common Stock. Shareholders hereby agree to sell to the Corporation all of the Shareholders' common stock holdings and interest in the Corporation
price of

and that the Corporation in reliance of the representations, warranties and covenants of the Shareholders herein and subject to the terms and conditions of this Agreement shall purchase such shares from the Shareholders who shall apportion the sale proceeds between them in accordance with their shareholdings.

D. Closing. The closing of the sale under this Agreement shall take place in the offices of Yakes, Bauer & Kindt, S.C., 141 North Sawyer Street, Oshkosh, Wisconsin 54901 on July 10, 1992 at 2:00 P.M.

E. Payment of Purchase Price. The purchase price under this Agreement shall be paid as follows:

2.

If
Corporation defaults in the payment of this portion of the purchase price which is not caused by JAMES W. SCHIEK, SR. breach of Paragraph N, Restrictive Covenant; then and in that event, the Shareholder, JAMES W. SCHIEK, SR. shall be

(1) licensed to use the patents described in Exhibit C and
(2) be free of the Restrictive Covenants contained in
Paragraph N of this Agreement and authorized to compete
with Corporation in the manufacture and sale of support
belts and water skiing harnesses to all business sectors.

3.

1.

G. Representations of Shareholders. The Shareholders
represent, warrant and agree as follows:

1. Stock Ownership. The Shareholders are owners of
the shares attributable to them under this Agreement, free
and clear of any liens and encumbrances.

2. Financial Disclosures. The Shareholders have
disclosed to the Corporation all obligations known to the
Shareholders which are due and owing by the Corporation to
third parties and that to the best of Shareholders'
knowledge, said obligations are set forth in Exhibit A
attached hereto as of the date of that exhibit; and that no
other obligations of the corporation will be incurred by
Shareholders from the date of that exhibit to the date of
closing which have not been disclosed by Shareholders to
the other officers of the Corporation and their approval
obtained in the ordinary course of the business of the
Corporation. It is understood that MR. JAMES W. SCHIEK,
SR. is the President of the Corporation and has been
involved in the affairs of the Corporation. The June 30,
1992 financial statement shall be Exhibit A if available at
closing and, if not, the financial disclosure under this
paragraph shall be set forth on the financial statement of
the Corporation for May 31, 1992.

3. Absence of Undisclosed Liabilities. Except to the
extent reflected or reserved against in the Corporation's
most recent balance sheet as prepared and submitted to the
Corporation by its accountants, the Shareholders are aware

of no liabilities of any nature, whether accrued, absolute, contingent or otherwise, which has not been disclosed to DANIEL E. WISSINK and consented to prior to the closing of this transaction. The Shareholders represent and warrant that they do not have knowledge or reasonable grounds to know of any basis of any liability of any nature which has not been fully reflected or reserved against in the most recent financial statements of the Corporation or which have not been disclosed to DANIEL E. WISSINK and his consent obtained prior to the closing of this transaction.

4. Title to Properties. The Corporation has good and marketable title to all of the assets of the Corporation including those reflected on the most recent financial statements of the Corporation subject only to obligations which are set forth on the most recent financial statement of the Corporation or which have been disclosed to Daniel E. Wissink and his consent obtained prior to the closing of this transaction.

6. Lease. The Lease for the Corporation's present existing facility is in full force and effect and that no grounds exist to the best of the Shareholders' knowledge which could cause this Lease to be terminated by the Lessor thereof due to any default by the Corporation under the Lease Agreement.

7. Accounts Receivable. The Shareholders have no information which has not been disclosed to the other officers of the Corporation concerning the validity or collectibility of any of the Accounts Receivable of the Corporation; and that Shareholders know of no dispute or condition which has not been disclosed to their officers of the Corporation which would result in the uncollectibility of any of said Accounts Receivable of the Corporation.

8. Access to Information. The Shareholders shall cause a full and complete disclosure of all information within their possession involving Corporation's business to the other officers of the Corporation including a full and complete disclosure of the status of all patents, patents pending, proposals for improvements of patents, proposals for additional patent work, all trade secrets and confidential information of the Corporation and all

financial information and other relevant financial information of the Corporation which shall be turned over and disclosed to DANIEL E. WISSINK as may be requested and prior to the closing of this transaction. In addition, the Shareholders agree that after the closing of this transaction they will fully cooperate with the Corporation and the officers thereof disclosing disclosure, information and assistance in regard to the subject matter of this subparagraph.

I. Transfer of Capital Stock. At the closing each of the Shareholders shall deliver to the Corporation, free and clear of all liens and encumbrances, certificates for the shares of the Corporation sold under this Agreement, duly endorsed by said Shareholders so that the same may be cancelled upon the books of the Corporation.

J. Conduct of Business Pending Closing. The Shareholders covenant and agree that pending the closing of this transaction:

1. The Corporation's business will be conducted only in the ordinary course of business.

2. The Shareholders will take no action or implement any policy change on behalf of the Corporation without the consent of the other officers of the Corporation or in compliance of the Shareholders' Agreement between the various Shareholders of the Corporation.

3. The Shareholders will cooperate in the transition between the execution of this Agreement and the closing of the transaction and obtain the cooperation of other employees of the Corporation in this transition.

K. Requirements at Closing. At the closing the Shareholders shall provide:

